

Rory T. Kay (NSBN 12416)
 Jane Susskind (NSBN 15099)
 MCDONALD CARANO LLP
 2300 West Sahara Avenue, Suite 1200
 Las Vegas, Nevada 89102
 Telephone: (702) 873-4100
 rkay@mcdonaldcarano.com
 jsusskind@mcdonaldcarano.com

*Attorneys for Defendant/
 Counterclaimant Walmart Inc.*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ARILEX TROPICANA ASSOCIATES, LLC,
 a Nevada limited-liability company,

Plaintiff,

vs.

WALMART INC., a Delaware corporation,

Defendant.

WALMART INC., a Delaware corporation,

Counterclaimant,

vs.

ARILEX TROPICANA ASSOCIATES, LLC,
 a Nevada limited-liability company,

Counterdefendant.

Case No.: 2:22-cv-00344-JCM-VCF

**ORDER TO VACATE HEARING
 SCHEDULED FOR OCTOBER 21, 2022
 AT 11:00AM**

Defendant/Counterclaimant Walmart Inc. (“Walmart”) and Plaintiff/Counterdefendant Arilex Tropicana Associates, LLC (“Arilex”) (collectively, the “Parties”) hereby stipulate and agree as follows:

1. The Parties have been engaging in productive settlement discussions and have agreed in principle to a settlement agreement (“Settlement Agreement”).
2. While the Parties have not yet executed a final Settlement Agreement, they are in the process of cooperating to formalize such agreement.
3. A material term of the Settlement Agreement is the dismissal of this action in its entirety.

4. Accordingly, the Parties respectfully request that the hearing on Walmart Inc.'s Motion for Leave to Supplement Counterclaim, scheduled to be held on October 21, 2022 before Judge Cam Ferenbach at 11:00 a.m., be VACATED

IT IS SO STIPULATED.

DATED this 21st day of October, 2022.

BACKUS, CARRANZA & BURDEN

McDONALD CARANO LLP

By: /s/ Shea M. Backus

Shea M. Backus, Esq. (NSB 8361)
Jessica E. Brown, Esq. (NSB 14487)
3050 South Durango Drive
Las Vegas, Nevada 89117
sheabackus@backuslaw.com

Attorneys Arilex Tropicana Assoc., LLC

By: /s/ Rory T. Kay

Rory T. Kay, Esq. (NSB 12416)
Jane Susskind, Esq. (NSB 15099)
2300 West Sahara Avenue, Suite 1200
Las Vegas, Nevada 89102
rkay@mcdonaldcarano.com
jsusskind@mcdonaldcarano.com

Attorneys for Walmart Inc.

IT IS ORDERED that a status conference regarding settlement is scheduled for February 17, 2023 at 10:00 am in LV Courtroom 3D before Magistrate Judge Cam Ferenbach.

IT IS SO ORDERED.



UNITED STATES MAGISTRATE JUDGE

DATED: October 21, 2022